

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HSIN LIN,
Plaintiff,
v.
SOLTA MEDICAL, INC.,
Defendant.

Case No. 21-cv-05062-PJH

**ORDER DENYING ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

Re: Dkt. No. 88

On February 9, 2024, plaintiff Hsin Lin filed an administrative motion to consider whether another party's materials should be sealed pursuant to Civil Local Rule 79-5(f). Dkt. 88. That rule provides that when seeking to seal a document "because that document has been designated as confidential by another party . . . the Filing Party must, instead of filing an Administrative Motion to File Under Seal, file an Administrative Motion to Consider Whether Another Party's Material Should Be Sealed." Civ. L.R. 79-5(f). "Within 7 days of the motion's filing, the Designating Party must file a statement and/or declaration" that must include, inter alia, "a specific statement of the applicable legal standard and the reasons for keeping a document under seal". Civ. L.R. 79-5(c) & (f)(3). "A failure to file a statement or declaration may result in the unsealing of the provisionally sealed document without further notice". Civ. L.R. 79-5(f)(3).

Plaintiff filed an Administrative Motion to Consider Whether Another Party's Material Should Be Sealed pursuant to Civil Local Rule 79-5(f) on February 9, 2024. More than seven days have passed since the motion's filing, and defendant (the designating party) has not filed any responsive statement or declaration. Accordingly,

defendant has not satisfied its burden to seal the identified materials, and plaintiff's administrative motion is DENIED, and the material must be filed on the public docket.

IT IS SO ORDERED.

Dated: February 23, 2024

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge

United States District Court
Northern District of California